

HAWAIIAN GAZETTE

FREDERICK O. MATTHESON

EDITOR

Entered at the Postoffice at Honolulu, H. I., Second-class Matter.
Semi-Weekly—Issued Tuesdays and Fridays.

Subscription Rates:

Per Month \$.25 Per Month, Foreign \$.30
Per Year \$3.00 Per Year, Foreign \$4.00
Payable Invariably in Advance.

CHARLES S. CRANE, Manager.

TUESDAY JANUARY 25

COASTWISE SHIPPING LAW AND HAWAII.

The provision of the coastwise law which imposes a fine on any foreign steamship of two hundred dollars a head for passengers carried from one American port to another, which some six hundred and more Americans in Honolulu today are hearing of for the first time in their lives, is worth some consideration from our visitors. The two hundred dollar per head fine is something inserted in the law expressly for Hawaii's benefit, the fine being raised by an amendment in congress at the time the question of the annexation of these islands was being debated.

The coastwise law, making it unlawful for foreign vessels to carry freight between American ports, was passed many years ago, at a time when coastwise meant what it is supposed to mean. Originally there was no restriction in the carrying of passengers. Later, still many years ago, the government collected two dollars for every passenger carried coastwise in a foreign ship, and this amount was the only fine until the time when Hawaii became a Territory of the United States. Then the fine was raised to two hundred dollars, making passenger traffic between this mid-Pacific port and the mainland American ports in other than American ships out of the question. As a consequence, Honolulu faces a situation where her progress as a business community and growth as a tourist resort for mainlanders is seriously hampered.

For eight months out of every twelve there are not accommodations on American ships for all who would visit these islands. During the month of December last, hundreds of tourists were turned away from Hawaii by the passenger agents of the American lines, who wrote to inquire that all boats were booked to the limit. Honolulu thus lost the opportunity of entertaining these mainlanders and they were turned elsewhere, to Mexico, to Bermuda, to Cuba, and to other foreign resorts, as well as to Southern California and Florida. Some went to Vancouver to take passage to Honolulu, thus escaping the trammels of the coastwise law.

It has frequently happened that tourists arriving here have experienced the greatest difficulty in getting away, forcing us to overdo our hospitality. Time and time again it has happened that there have been weeks between the sailings of American boats for the mainland on which passage could be secured for local travelers.

The situation, in short, is this: The right to travel freely, which is granted in every other part of the Union, is denied Hawaiians. Americans are frequently prevented from visiting this part of their own country unless they begin their ocean journey from a foreign port. There is more money for the oriental American boats in carrying passengers past this port to the Orient than in bringing passengers only this far. It is business with them, therefore, to encourage tourists to continue on to the foreign countries of the Orient and to discourage them from coming only as far as American Hawaii. In this way these islands are discriminated against in favor of the Orient by the very vessels upon which travelers to and from Hawaii must travel if they are to travel at all. Coming and going, these islands are given the worst of it by a law that applies to no other part of the American Union as it does to us.

Hawaii is trying to secure the temporary suspension of this law as regards passenger traffic until it can be demonstrated that there are American ships enough to properly take care of our needs. Hawaii asks for no favors regarding freight. We are satisfied with the freight accommodations given us, because shipowners have built many freighters for the Hawaiian trade, meeting the need for more ships as it arises. Tourists will not travel on freighters, however, and many of these have not any passenger accommodations at all.

At the present time there is a movement on hand to ask congress to amend the coastwise law to allow passengers to and from Hawaii to travel on any boat that offers, the amendment to be coupled with the condition that the President may reimpose the provision of the law when it appears in his discretion that there no longer remains a necessity for the suspension of the law.

Hawaii asks this in justice from congress. It should not be the principle of any law to work an injustice on any particular section or any particular people. It is in no sense of disloyalty to the Flag that we ask it. The advocates of the amendment, which we term "suspension" are convinced that the temporary suspension of the passenger embargo will result in an increase of travel sufficient to convince American shipowners that there is enough business to warrant the placing of tourist vessels on the run between this port and the Coast, at which time the suspension may be removed and the business go back wholly into American hands.

Secretary Straus was forced to pay a fine of two hundred dollars for himself and as much more for his wife when he wanted to return to the mainland from Honolulu. When Governor Frear was called back to his duties here from Washington, only a few weeks ago, he was forced to pay two hundred dollars over and above his passage money because he came on a Japanese liner to save time. These are only two instances out of many where urgent necessity has forced government officials to become practically violators of American law.

Hawaiians are allowed to travel without hindrance to any part of the world but their own country. People may come and go between every foreign country in the world to Hawaii without restriction, but from mainland America to American Hawaii they can not come.

Just how Hawaii is treated is being demonstrated at this particular time in regard to the tourists of the German liner Cleveland. Honolulu is as much a portion of the United States as is San Francisco, but while the Cleveland tourists are evidently going to be allowed to land in the latter city without penalty, they are not to be allowed to land here without paying the fine. Those who had planned to stay here for a time are not to be allowed to do so.

This is the same unjust treatment Honolulu has been subjected to since the day the Stars and Stripes were hoisted and these islands became in fact a portion of the Union.

The world travelers now in the city have an opportunity of seeing and judging for themselves whether this is a loyal American community or not. They will know that it is not a matter of disloyalty when we ask them to present to their congressmen a statement of the position Hawaii is in through the enforcement of the coastwise laws as regards the freedom of travelers to visit us and to return to their mainland homes. Hawaii is simply in a position where the laws framed to suit mainland conditions operate unjustly when applied to these islands, twenty-one hundred miles away from the nearest other American port.

American laws are keeping Americans from visiting this portion of the Union. American laws are preventing Americans here from seeing the greater America of the mainland. American laws are forcing Americans to leave their own country in order to come to Hawaii.

This is unjust to Hawaii. Should, by any manner of subsidy, the American merchant marine be revived, the condition faced by Hawaii would be done away with. For this reason, practically everyone in Hawaii looks hopefully for the favorable consideration at the hands of congress of the ship subsidy bill now before it. The passage of that bill may eventually provide us with enough American ships to handle the passenger traffic offering, and all things being equal, we would prefer to sail always under the American flag. But in the mean while, we ask from congress the same right to travel when and where we please as is afforded every other American in every other section of the Union.

We believe that in the visitors now in the city we have gained hundreds of advocates of the temporary suspension of the coastwise law. We trust that their experience of the working of that law will urge them to use their influence with their congressional representatives to see that justice in this matter is done to Hawaii.

We welcome the Clark tourists to Hawaii. We hope they will enjoy what they will have an opportunity to see in the limited time of their disposal. We hope to see them return to Honolulu, and can assure them that a welcome always awaits them. There are wonders of nature to be seen in these islands, such as can not be seen in any other portion of the globe they have just circled.

We trust, too, that when they do return they will not be confronted at this threshold of their country with any more such vexations and unjust laws as that of the passenger provisions of the coastwise shipping law.

It is almost as absurd to call Honolulu a coast port of America in its relation to Seattle, San Francisco, or San Diego as it is to call a trip from New York to San Francisco, around the world, a "coasting trip."

It is to be hoped that some good may come from the demonstration of the workings of the coastwise shipping law which the tourists on the Cleveland have received. Six hundred Americans to the congressional representatives of as many tourists should have some weight with those who make the laws of the land.

It is to be true that the federal officials have agreed to admit the fine at the port of San Francisco, there is all the more reason why Hawaii should ask all the assistance possible in securing a suspension of the iniquitous law as far as passenger traffic is concerned. When the suspension bill came before congress last year there was strong opposition from San Francisco, the chamber of commerce of that city actively opposing any suspension.

New San Francisco is to secure what practically amounts to a temporary suspension as far as the Cleveland is concerned, while Hawaii is bound by the statute, and these visitors who would have liked to have made an extended stay in these islands were forced to continue on to the mainland, because a ship would have meant a fine of \$200 per person.

The civic federation did a very sensible and praiseworthy thing when it caused the editorial printed in yesterday's Advertiser to be published in pamphlet form and distributed among the passengers on the big tourist ship. Accompanying the editorial was a letter urging all on the Cleveland to use their efforts to secure a suspension of the coastwise law as far as the passenger traffic is concerned. The letter reads as follows:

Dear Sir:

No doubt, you, as well as others of your good ship's company, must have been disappointedly surprised at arriving at your first American port, to have such an unwelcome proposition as that you might be held up at the port of our country on account of a law which very few Americans have anything to do and of which people know very little. For this reason, a word or two about the law may be of value.

It is quite proper that coastwise traffic and trade should be confined to the nationality of the country that governs, although in England the law is very much less strict and any foreign ship can take passengers, mail and freight from Great Britain to its colonies. The law is a very old one. When it was enacted, the United States had no sailing territory. It was never contemplated, probably, that occasion might arise when persons wishing to take passage on ships could not, if the vessel happened to be a foreign ship, walk, ride, drive or take a train to the destination rather than go by sea. One desiring to go from Norfolk to Charleston, South Carolina, if it so happened that nothing but a foreign ship was in port, could in the old days have gone by horseback or stage; at the present day, by train. If one wishes to go from Cleveland to Detroit, if it should so happen that there is nothing but a foreign vessel offering to take passengers, or even an American vessel asking such a high price that the passenger refused to take it, the same method is open—he could walk, ride, drive, or go on a train.

But when Hawaii was annexed in 1898 the possibility of going otherwise than on the water seemed to exist; the occasion arose when there was no possibility of going otherwise than by sea, which was not contemplated in the original act. It is something like an interference with the rights of American citizens, if they are prevented from traveling freely where they wish.

Prior to 1898 the law provided that where foreign vessels per head passengers from one American port to another a fine of two dollars per head was imposed; but in 1898—would it have been in contemplation of the coming annexation of Hawaii—Congress passed an act amendatory of the old, by which the penalty was increased from two dollars to two hundred dollars, which, of course, is prohibitive. The original portion reads as follows:

"SEC. 4. That foreign vessels found transporting passengers between two places or ports in the United States, when such passengers have been taken on board in the United States, shall be liable to a fine of two dollars for every passenger landed."

The Act of February 17, 1898, which was previous to annexation of Hawaii, amended this section to read:

"Sec. 4. No foreign vessel shall transport passengers between ports or places in the United States, either directly or by way of a foreign port, under a penalty of two hundred dollars for each passenger so transported and landed."

In 1898, while the two dollar penalty was in existence, the Attorney General of the United States, in an opinion on the subject, says:

It is held that a foreign vessel is liable to a fine of two dollars for every passenger transported by it from one port in the United States to another port in the United States, though the continuity of the voyage may have been broken by the vessel touching at an intermediary foreign port. (See Vol. 18, Opinions of the Attorney General, page 445.)

But as it was certain that occasions might arise when it would be unjust to impose such a fine, the law provides:

"SEC. 5. That the fines imposed by Sections 4, 6, 7 and 8 of this Act shall be subject to remission or mitigation by the Secretary of the Treasury when the offense was not wilfully committed, under such regulations and methods of ascertaining the facts as may seem to him advisable."

This gives the law at the present date, and undoubtedly the fine which the law requires to be imposed upon vessels carrying passengers contrary to the law applies to the Cleveland on its present voyage. No one, however, can doubt that, in justice to all, and for the honor and credit of the United States, the fine should be remitted.

It is claimed that this question was raised in Honolulu and, had it not been raised, there would have been no trouble. This, however, is probably not correct. Undoubtedly the same influence which induced Congress to increase the fine from two dollars to two hundred dollars in 1898, in view of the impending annexation of Hawaii, raised the question in this case, and the Cleveland and Clark tourists may thank that same influence for the present position.

Every one who reads this paper must be convinced of the injustice of this law as applied to territory of the United States not contiguous to the mainland. Hawaii has been trying for years to have the law changed or suspended with regard to the transportation of passengers only. We do not ask that freight might be taken in foreign vessels from Hawaii to the United States, or vice versa; but it is unquestionably an injustice that we are not allowed to travel freely back and forth on any steamer that offers. The three companies—the Pacific Mail, the Oceanic Company, and the Matson Navigation line—are very short-sighted; they are very foolish. It is absurd to add up the number of berths in all their steamers, and then show that the vacant berths would more than suffice for all the passengers who travel between Hawaii and the mainland at the present time. If that were to be the rule, then people coming to the islands or going from them must stand on the wharf, waiting for vessels to come, and inquire if there is a blank space, whether or not business or pleasure or the necessities of the occasion require travel at that moment. There is no reason why a business man or tourist should be compelled to travel out of season and when it might be injurious to do so, just because there happens at that time to be a vacant space, as there is at this present winter-time. The fact is if the restriction were removed and passengers knew they could take any vessel coming along, travel would be so increased that every one of the present steamers would get more passengers than it can carry, which is the universal experience where transportation facilities are improved.

Every passenger on the Cleveland should now become an active propagandist, and we ask you to read the article carefully which has been placed in your hands, and when you get to the United States write to the senators from your state or to your representative in Congress and urge upon them as strongly as you know how such a slight variation in the law as will permit passengers to and from Hawaii to travel in any steamer that comes along, letting the law stand where it is in regard to freight; and we earnestly pray that you will not forget this on reaching your home, but will attend to it. We are glad to say to you that, if we are not mistaken, the two important congressional delegations which have visited the islands have been unanimous in their opinion that such suspension should be made.

Very sincerely yours,
THE CIVIC FEDERATION OF HONOLULU.

JACK LONDON AND THE BYSTANDER.

The Advertiser will publish a red-hot letter from Jack London in tomorrow's issue. Sometime since "The Bystander" took a fall out of Mr. London for publishing leprosy stories about Hawaii. Mr. London is noted for his meek and gentle style, and he serves a liberal sample out for Hawaiian consumption. He lectures the community generally for its provincialism; says that The Bystander is a liar; that Honolulu reporters are mediocres; that he was robbed and abused here, and otherwise relieves himself of the thing that ails him. Replying to The Bystander's statement that he was "treated like a lion," he says that all he can say is "that it was a damned funny way to treat a lion." But this London classic must be read in its entirety to get its full flavor.

GOVERNOR FREAR'S DECISION.

The Governor's decision to remain in the executive chamber will meet with the general approval of the public of Hawaii. Indeed, if Governor Frear ever had any doubt as to whether or not the influential portion of the Hawaiian public approved of his administration, he must have been thoroughly convinced during the past two or three days that the public does approve. For almost every one of the prominent men of Honolulu has taken occasion to call upon him and urge him to stay with the job and carry out the policies in the outlining of which he has devoted so much care and attention.

A FOLLOWER OF INFLUENZA.

An attack of influenza is often followed by a persistent cough which may prove a great annoyance. Chamberlain's Cough Remedy has been so successfully used with good success for the relief and cure of this cough. Many cases have been cured after all other remedies had failed. For sale by all druggists. Beware, South Sea, of agents for Hawaii.

ATTACKS CORPORATION TAX.

RECEIVED, January 18.—Bolt was filed in the United States circuit court yesterday charging that the federal corporation tax law recently passed by congress is unconstitutional and seeking an injunction to restrain the directors of the Northern Trust Company of Chicago from paying the tax. The bill was filed by a committee of the company or a law firm.

JACK LONDON SAYS
HONOLULU IS PROVINCIAL

To the Editor, The Honolulu Advertiser:

Dear Sir—Is the Territory of Hawaii to become part of the Twentieth Century world, or is it to remain provincial, like any backwoods settlement? I am prompted to make this query because of "The Bystander" who, on the staff of The Advertiser, has made some most provincial and snarling remarks about me. I do not make reference to the letters of subscribers and readers, wherein I have been assailed, because a newspaper is supposed to publish communications from its subscribers and readers, even though they be lunatics or feeble-minded cretins.

But The Bystander is on the staff of The Advertiser. He sells his wit and The Advertiser buys, because it considers his wit is modern, worth while, and up to date.

Here is some of the abuse which has been heaped upon me by The Bystander: I am a "sneak of the first water a thoroughly untrustworthy man, and an ungrateful and untruthful bounder." Also, I am a "dirty little sneak." Not only is the flavor of Bystander's vituperation essentially that of the backwoods, but also are the untruths against me which so states and upon which he bases his vituperation, granted privileges by the authorities, ing one on the Kona Coast of Hawaii. Bystander accuses me of having been granted privileges by the authorities to visit the Leper Settlement at Molokai, and then of having abused those privileges by writing sensational and untrue short-stories about Molokai.

Now, here are the facts: By the consent of the authorities, I visited Molokai, and I wrote an article on Molokai that was so satisfactory to the authorities that the stamp of approval was given to it for publication to the world.

Incidentally, I wrote a couple of short-stories dealing with leprosy, locating one on the Kona Coast of Hawaii, and the other on the Island of Niihau. Both these stories were avowedly stories, things of fiction; and furthermore, they did not deal with Molokai, nor with any of the knowledge that I had gained while I was at Molokai. I have been interested in leper settlements for years, and have visited other leper settlements and leper-houses before I ever came to Hawaii. Not only

have my two short-stories nothing to do with the leper settlement on Molokai, but no data in those two short-stories was gathered on Molokai. And when Bystander says that I violated my promises to the authorities, made when I went to visit the leper settlement on Molokai, why said Bystander not only lies, but deliberately lies.

It is the perfect provincial note, to state absolute untruths concerning a stranger's visit to one's backwoods section, and upon this basis to rear an edifice of abuse. This is what Bystander has done, and has been countenanced in doing by the editor of The Advertiser.

And now, Mr. Editor, let me give you a few facts of my visit to Hawaii. I came to Hawaii on my own, subsidized by nobody; nor did Hawaii subsidize me, nor did I ask Hawaii to subsidize me. I paid my way; I paid my way on the steamer to Molokai, and I paid my way back on the steamer from Molokai. I spent a few thousands of dollars in Hawaii, and there is no man in Hawaii who can lift up his voice and say that I owe him one cent. On the other hand I can lift up my voice and say that the citizens of Hawaii owe me, and owe me a great many cents—that the dwellers of Hawaii, instead of subsidizing me, some of them, at any rate, played very deft and gentlemanly games of robbing me.

On the other hand, I want to say that I was gloriously entertained by a number of persons in Hawaii; that I received a height of hospitality that can not be excelled anywhere else on the earth, and that my heart goes out in love and appreciation to numerous friends that I made in Hawaii. But I wish to point out this weakness of Hawaii: namely, of elevating every chance visitor to its shores on a pedestal, seemingly for the purpose of casting potsherds at him. I had scarcely left the shores of Hawaii myself, when the papers let loose with an attack upon me charging me with having issued worthless checks. Bystander says that I was treated like a lion. All I can say is that it was a damned funny way to treat a lion. Again, I reiterate, this is the provincial note struck by Hawaii. And the sooner Hawaii gets over it the better.

Of what use is a promotion committee, and of public-minded citizens, when they allow a set of mediocre reporters to set their ethical newspaper pace for them and mould their opinions for them? So long as Hawaii is satisfied with the opinions of men of the caliber of Bystander, just that long is Hawaii contented to be provincial.

Sincerely yours,
JACK LONDON.

HONOLULU IS SEEING THINGS

(Continued from page one.)

latest comet, which has been seen from all along the coast, is described by the amateur sky pilots as having a tail thirty feet long pointing straight at you and dwindling off faintly at the end in a most undecided and hesitating manner as if it were in doubt whether to grow a longer one or not.

This comet is Comet 1910a, the first comet sighted in the year 1910, and lately reported from South Africa. An Associated Press dispatch Sunday night stated that it had been sighted from Flagstaff, Ariz. Although the arrival of its brother, Halley's comet, somewhat eclipses it in public interest, the telescopes of the observatories of the world are turned on this visitor, but little as yet has been learned about it. At present it bears the usual name given to comets when first sighted, which signifies its place in the astronomical observations of the year.

An Official Description.

Professor Donaghoo, of the College of Hawaii, has written the following letter which tenderly buries all hopes that it is the Halley's comet. At the time it was written the writer had not seen the cable from Flagstaff. As this dispatch names the comet 1910a it proves that it was first sighted this year and not last year as Professor Donaghoo thought possible. The letter is as follows:

College of Hawaii, January 24, 1910.
Editor Advertiser:—An explanation of how so many have seen "Halley's comet" lately may be furnished by the celestial visitor now to be seen near our western horizon "between 6:30 and 7 p. m. The comet there visible is doubtless the one referred to in the telegraphic news a few days ago as "the comet reported from South Africa." No news of such a comet has yet reached the College of Hawaii from scientific sources, but Wincke's comet ("1909d") was reported from South America, on October 21, in a position almost directly south from the present position of our visitor. Five comets were sighted in 1909, up to December 9, of which Halley's comet was "1909e." If this one now visible really is a new "comet reported from South Africa," it is "1909f," or "1910a," according as the discovery was before or after January 1, 1910, and if it proves to be a noteworthy comet, it will take the name of the discoverer.

Halley's comet is now about north of Saturn, at a distance about equal to that between the "pointers" of the "Dipper."

J. S. DONAGHOO.

Halley's Comet.

People who were prepared by reports to be disappointed with the appearance of the big wanderer, which it was thought, might be seen this trip, may now rejoice, for it has grown an appendage of respectable proportions. The news has gone all over the country that the "comet has a tail" and has overshadowed the English crisis, the Manchu question and other current problems.

A straight and slender tail has been discovered trailing behind the nucleus, according to a dispatch received at the Harvard Observatory from Professor E. B. Frost of the Yerkes Observatory. The tail is a faint one as yet, about ten minutes in length and at an angle of sixty nine degrees.

Halley's comet may now be seen through small telescopes, or a sort of spy glass, like a faint nebula. The tail, however, is too faint to be caught by anything except a highly sensitive

photographic plate. The comet is in the western sky in the early evening, but later in the week the moon may become too bright to permit a view of it.

Our Own Observatory.

E. A. Berndt, chairman of the Wai-alea, Kaimuki and Palolo Improvement Club's special comet committee yesterday turned over to Prof. John W. Gilmore, of the College of Hawaii, a little over \$1300, stating that there are still a few more subscriptions yet to be collected.

Professor Gilmore has drawn up the plans of the observatory to include a classroom and if the bids presented are too high, he will change the size of the room to meet the funds on hand. At present the room is designed to hold twenty-five people and there is a sentiment against cutting it down to hold less.

The petition of Herman Starkloff, executor of the estate of Ida Schaffner, for leave to sell real estate belonging to the estate, has been granted by Judge Robinson.

BEFORE WE CAN

use them, iron and gold must first be got out of the ore. The same principle applies to cod liver oil. Its virtues are not in its fatty matters; much less in its sickening taste and smell. No consumptive, or sufferer from any other wasting disease, was ever greatly benefited by the so-called "plain" cod liver oil. The shock it gives to the nerves, the repulsion and disgust it excites in the stomach, the outrages it commits upon the senses of smell and taste, are enough to spoil any medicinal potency that may be in it for the majority of people. This—to say nothing about its being indigestible. Yet there has always been reason to believe that, among the elements which form cod liver oil, there existed curative properties of the highest value. But it was necessary to separate them from the nauseating waste material with which they were combined. This was successfully accomplished in

WAMPOLE'S PREPARATION and in this effective remedy, made palatable as honey, we have the very heart and soul of pure Cod Liver Oil, combined with the Compound Syrup of Hypophosphites, Extracts of Malt and Wild Cherry. These constitute a tissue builder, a blood purifier, a health renewer beyond comparison. Disease yields to it with a completeness and rapidity which astonishes medical men quite as much as it delights their patients. In all wasting conditions, Scrophulous and Blood Disorders, La Grippe, Influenza, etc., it never fails to relieve and cure. Dr. E. J. Boyce says: "I have found it a preparation of great merit. In a recent case a patient gained nearly twenty pounds in two months' treatment, in which it was the principal remedial agent. It cannot fail or disappoint you. Sold by all chemists everywhere."